

Irish Reproductive Loan Fund Bill.

ARRANGEMENT OF CLAUSES.

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SCHEDULE.

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B I L L

To amend the Law relating to the Irish Reproductive Loan Fund. A.D. 1874.

WHEREAS in the year one thousand eight hundred and twenty-two a large sum of money was subscribed in England for the purpose of relieving the distress arising from scarcity of food in Ireland, and the residue of such sum after affording relief in such distress, under the name of the "Irish Reproductive Loan Fund," was vested in a charitable association called the "Irish Reproductive Loan Fund Institution," to be held by them on trust to lend the same at interest to the industrious poor in the ten counties of Clare, Cork, Galway, Kerry, Leitrim, Limerick, Mayo, Roscommon, Sligo, and Tipperary, in Ireland, certain proportions of the said fund being appropriated to each of the said counties:

And whereas in the year one thousand eight hundred and forty-eight, by an Act of the session of the eleventh and twelfth years of the reign of Her present Majesty, chapter one hundred and fifteen, intitled "An Act to vest in Her Majesty the property of the Irish Reproductive Loan Fund Institution, and to dissolve the said Institution," the said institution was dissolved, and the said Irish Reproductive Loan Fund was transferred to and vested in Her Majesty upon trust, to be applied and disposed of for such charitable purposes and objects of public utility not otherwise provided for in whole or in part by local rate or assessment (including the instruction in and the promotion of agricultural science) in the ten several counties aforesaid, as the Lord Lieutenant or other chief governor or governors of Ireland, with the assent of the Commissioners of Her Majesty's Treasury, or any three or more of them, should from time to time direct and appoint, certain proportions being appropriated to each county as in the said Act mentioned:

And whereas it is expedient that the said Irish Reproductive Loan Fund should be transferred to the care of a public body in Ireland and should be disposed of by way of loan instead of by way of absolute grant:

[Bill 188.]

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11 & 12 Vict.
c. 115.

A.D. 1874. And whereas certain of the said counties, that is to say, the counties of Clare, Cork, Galway, Kerry, Leitrim, Limerick, Mayo, and Sligo, in this Act referred to as "maritime counties," abut upon the sea, and it is expedient that such portion of the said fund as is appropriated to the said maritime counties should be capable of being advanced by way of loan for the purpose of aiding the fisheries on the said coast :

And whereas the said Irish Reproductive Loan Fund, with the exception of certain outstanding debts which are not therein specified, consists at the date of the passing of this Act of the particulars specified in the first part of the schedule hereto, distributed under the three heads of—

- (1.) The county trust and agricultural school fund ;
- (2.) The fishery fund ; and
- (3.) The London fund for management : 15

And whereas the several funds aforesaid are in this Act included under the title of the Irish Reproductive Loan Fund, and it is intended that such funds should form one fund only under such title as aforesaid, and that such one fund should be appropriated to the ten counties herein-before mentioned in the proportions specified in the second part of the said schedule :

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows : 25

Short title of Act.

1. This Act may be cited for all purposes as "The Irish Reproductive Loan Fund Act, 1874."

Transfer of property to the Commissioners of Public Works in Ireland.

2. All such property, real and personal, including all interests and rights in, to, and out of property, real and personal, and including obligations and things in action, as may form part of the said Irish Reproductive Loan Fund, or may be vested in Her Majesty or any other person whatsoever, as part or on account of the said fund, shall from and after the passing of this Act pass to and vest in the Commissioners of Public Works in Ireland, subject to all debts and liabilities affecting the same. 30

Power to recover property.

3. The Commissioners for Public Works in Ireland, in this Act referred to as the Commissioners, may enforce any remedies for the recovery of any portion of the said Irish Reproductive Loan Fund which Her Majesty, her heirs and successors, might have enforced if this Act had not passed, and notwithstanding the passing of this Act it shall be lawful for Her Majesty to use, on behalf of the said 40

Commissioners, any remedies for the recovery of the said fund or any part thereof which it would have been lawful for Her Majesty to have used if this Act had not passed.

A.D. 1874.

Application of fund by Commissioners.

4. The Commissioners shall hold the said Irish Reproductive Loan Fund on trust to dispose of the same by way of loan on such securities as they may think fit with a view to carry into effect the purposes of this Act.

The purposes of this Act shall be deemed to be such purposes or objects of public utility not otherwise provided for in whole or in part by local rate or assessment, including the instruction in and the promotion of agricultural science in the ten counties aforesaid, as the said Commissioners may think fit, with this addition, that in the case of the said maritime counties the purposes of this Act shall be deemed to include all or any of the following things, in this Act referred to as fishery purposes; that is to say,

- (1.) The building, purchase, or repairs of vessels, boats, and gear for fishery purposes; and
- (2.) The purchase of plant for the erection or repairs of houses and sheds for the curing of fish; and
- (3.) The purchase of materials to be used for the purposes of oyster cultivation.

5. The following restrictions shall be imposed on the Commissioners making loans under this Act:

Regulations as to loans by Commissioners.

- (1.) As between the ten counties aforesaid, the fund in the hands of the Commissioners under this Act shall be deemed to be appropriated in the proportions specified in the second part of the schedule hereto; and
- (2.) In making loans for fishery purposes the maximum amount lent in any one year in any one county shall not exceed one quarter of the sum standing at the end of the previous year to the credit of that county; and
- (3.) The aggregate amount of loans for the time being advanced in any county for fishery purposes, and outstanding at any one time under this Act, shall not exceed one half of the sum standing to the credit of the county in the second part of the schedule to this Act; and
- (4.) There shall be charged by way of interest, in respect of loans, such interest (if any) not exceeding three pounds ten shillings per cent., as the Commissioners may from time to time, with the approval of the Lord Lieutenant in council, determine.

A.D. 1874. Subject as aforesaid, and to such rules as are herein-after mentioned, the Commissioners shall make loans for fishery purposes to such persons and upon such security as the inspectors of Irish fisheries may from time to time recommend.

The recommendation of the said inspectors shall be testified by writing under their hands signed by all the said inspectors, specifying such particulars in respect of the loan, and especially the persons to whom and the security (personal or otherwise) on which the loan is to be made, as the Commissioners may require.

In the case of all loans other than loans for fishery purposes, the Commissioners shall take such security, personal or otherwise, as they may from time to time think sufficient.

Recovery of
loans by
Commissioners.

6. All moneys due to the Commissioners on account of loans made by them under this Act, including any costs and charges incurred in respect of such loans, may be recovered summarily in manner provided by the Summary Jurisdiction Acts.

"The Summary Jurisdiction Acts" mean within the police district of Dublin metropolis, the Acts regulating the powers and duties of justices of the peace for such district, or of the police of such district, and elsewhere in Ireland "The Petty Sessions (Ireland) Act, 1851," and any Act amending the same.

The power given by this section shall be deemed to be in addition to and not in derogation of any other powers to which the Commissioners may be entitled at common law or in equity of recovering any moneys due to them; and the Commissioners may use any such powers accordingly.

Investment
of moneys by
Commissioners.

7. All moneys for the time being in the hands of the Commissioners under this Act, and not employed by them in loans, may be invested by them in such Government or real securities as they may from time to time think expedient.

Certificate of
amount due.

8. A certificate, purporting to be under the seal of the Commissioners, and to be signed by one of them, stating the amount due to the Commissioners from any person in respect of any loan made to him under this Act, together with interest thereon, shall, until the contrary is proved, be evidence of the amount due and of the liability of the party therein named to pay the same.

Recovery of
unrepaid
balance
where under-

9. If during any time while any part of a loan under this Act remains unpaid the Commissioners are satisfied that the borrower is not carrying into effect the undertaking for which the loan was

made, they may recover forthwith the loan and all moneys due to them in respect thereof.

A.D. 1874.

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takings not
completed.
Power of
Lord Lie-
tenant in
council to
make regula-
tions.

10 The Lord Lieutenant in council may from time to time make, and when made may rescind, annul, or add to, rules with respect to the following matters :

- (1.) The mode in which loans are to be made under this Act, the amount of such loans, the securities to be given therefor, and the conditions on which such loans will be made ; and
- 10 (2.) The circulation of information as to the mode in which loans are to be applied for and made in pursuance of this Act ; and
- 15 (3.) As to any other matter or thing, whether similar or not to those above mentioned in respect of which it may be expedient to make rules with a view to more completely carry into effect the purposes of this Act.

Any rules made in pursuance of this section shall, in so far as they are not inconsistent with this Act, be deemed to be within the powers conferred by this Act, and shall be of the same force as if enacted therein, and shall be judicially noticed ; and it shall be the
30 duty of the Commissioners and of the inspectors of fisheries to conform to any rules so made.

11. The Commissioners may receive any gifts made to them by deed, will, or otherwise, of property, whether real or personal, to be applied for fishery purposes as defined by this Act, and may apply
25 the same accordingly for the benefit of any maritime county or counties specified by the giver, or if no particular county or counties are specified, for the benefit of all the said maritime counties in the proportions mentioned in the second part of the schedule hereto.

Power of
Commissioners to
receive gifts
for fishery
purposes.

12. The Commissioners shall, once at the least in every year, render to the Commissioners of Her Majesty's Treasury, at such time and in such manner as they may direct, an account of their receipts and expenditure during the preceding year, made up to the thirty-first day of December, and of the mode in which such receipts have been derived and expenditure incurred, together with a state-
35 ment of the amount (if any) remaining in their hands at the date of such account ; also of the amount of loans outstanding, and of the amount (if any) of principal and interest in arrear in respect of any loans ; and the Commissioners of Her Majesty's Treasury shall submit to Parliament such account or a summary thereof, in such form
40 as they think expedient.

Accounts to
be rendered
by Commis-
sioners.

13. The expression " Lord Lieutenant " in this Act includes the lords justices or other chief governors or governor of Ireland for the time being.

Definition
of " Lord
Lieutenant."

A.D. 1874.

SCHEDULE.

PARTICULARS OF IRISH REPRODUCTIVE LOAN FUND.

Irish Reproductive Loan
Fund.

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B I L L

To amend the law relating to the Irish
Reproductive Loan Fund.*(Prepared and brought in by
Mr. Parnell Henry Smith and Sir Michael
Pike Beach.)*Ordered, by The House of Commons, to be Printed,
29 June 1874.

[Bill 183.]

Tractor 1 oz.